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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/705,796 | 11/12/2003 | Janet Gail Prevatt | | 4799 |
| 7590 | 03/01/2005 | | EXAMINER | |
| Janet Gail Prevatt 4414 Way Cross Houston, TX 77035 | | | SWARTHOUT, BRENT | |
| | | | ART UNIT | PAPER NUMBER |
| | | | | 2636 |

DATE MAILED: 03/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------------|------------------|----|
| Office Action Summary | Application No. | Applicant(s) | AK |
| | 10/705,796 | PREVATT ET AL. | |
| | Examiner Brent A Swarthout | Art Unit 2636 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 30 April 2004.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
 5) Notice of Informal Patent Application (PTO-152)
 6) Other: _____.

1. Proposed new claims filed 4-30-04 have not been entered, since they have not complied with 37 CFR 1.121, nor do they include proper status identifiers. The claim originally filed is considered to be claim 1, and that claim will be examined in this office action. To add new claims, applicant should state that claim 1 is canceled, and add new claims beginning with claim No. 2. If a claim is new, it should have the status identifier (New) included with it.

For example, if applicant wanted to cancel original claim 1, and replace with a new claim 2 (claim 1 in the proposed amendment filed 4-30-04), it could be filed as follows:

Please cancel claim 1.

Claims

1.(canceled)

2.(New) Connecting the transportation vehicle's light or sound circuitry systems to backseat seatbelts, drivers are reminded that babies or children still remain in the transportation vehicle.

Additional claims would be listed numbered consecutively following claim 2, with the status identifier (New) included for each new claim.

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- a. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith.

Smith discloses a vehicle occupant detection system which senses when a vehicle ignition (24) is turned off, and if a seat belt sensor 22 detects a seat belt is still attached, a flashing light, horn or other audible or visual warning is generated to bring the occupant still in the vehicle to the attention of a driver (col.2, lines 49-54; col. 3, lines 1-15). It would have been obvious for such a system to detect small children, since it would have detected any person still buckled by a seat belt.

3. It is noted that since Smith teaches that exterior lights or interior lights can be flashed (col.2, lines 52-53), choosing to have interior dash or exterior headlights flashed would have been obvious since these are well-known vehicle interior and exterior lights.

Since Smith teaches that horn can be activated, choosing to use alarm system to activate a warning would have been obvious, since alarm systems typically employ the horn system.

Giving a warning when a door was opened would have been obvious, since Ryan teaches desirability of such a feature in a child left inside a vehicle alarm system (abstract).

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ryan and Burgess disclose child left in vehicle alarm systems.

Art Unit: 2636

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent A Swarthout whose telephone number is 571-272-2979. The examiner can normally be reached on M-F from 6:30 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass, can be reached on 571-272-2979. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Brent A Swarthout
Examiner
Art Unit 2636

**BRENT A. SWARTHOUT
PRIMARY EXAMINER**